

Providential  
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# Crime and Punishment

## A Biblical Perspective



Stephen McDowell

*Crime and Punishment, A Biblical Perspective*

By Stephen McDowell

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# Crime and Punishment

## A Biblical Perspective

### **The Cause of Crime**

Crime is rampant throughout the world. Different nations combat crime in different ways with varying degrees of success. To properly deal with crime in society, we must first understand what causes crime. The Bible teaches that crime is caused by evil in men's hearts.

Then the Lord saw that the wickedness of man was great on the earth, and that every intent of the thoughts of his heart was only evil continually. . . . Now the earth was corrupt in the sight of God, and the earth was filled with violence. (Genesis 6:5, 11)

The fall of man brought about corruption in the heart of man, which manifested itself externally with violence, murder, theft, and all manner of criminal behavior. God established civil government in the earth as the means of restraining evil doers and protecting law-abiding citizens (Genesis 9:6; Romans 13:1-7; 1 Peter 2:13-14). It was given the use of the sword to enforce its authority to protect the life, liberty, and property of the people.<sup>1</sup>

### **Why Does Crime Flourish?**

If civil government does not fulfill its duty to restrain criminals in accordance with Biblical guidelines then crime will flourish. Ecclesiastes 8:11 says, "Because the sentence against an evil deed is not executed quickly, therefore the hearts of the sons of men among them are given fully to do evil." Swift execution of God's justice is necessary to keep a culture of crime from growing in a nation.

### **Combating Crime**

What can individuals and governments do to combat crime? This question will be answered in more detail throughout this booklet, but understanding that sin and evil in man's heart is the cause of crime reveals that preaching the Gospel and seeing individuals converted to Christ is the only way to ultimately reduce crime in a nation. Only God through the atoning work of Christ can change man's heart and give him a new nature, one that seeks to obey God and

live in conformity to His law. God not only gives man a new heart, but He empowers him with His Holy Spirit to enable him to follow His blueprint for all of life. This is why crime diminishes when Christianity comes to a community. Where Christian revivals have occurred in history, courts and jails have become empty, and police officers have had little to do.

Since men are fallen and sinful, crime will never be completely eliminated from this world; therefore, civil government has a vital role in bringing tranquility and quietness to this life (1 Timothy 2:2). The Bible says, “When a ruler executes judgment, he scatters away all evil” (Proverbs 20:8) and “The king gives stability to the land by justice” (Proverbs 29:4). Thus, civil leaders should administer God’s justice in a timely fashion (while taking into account the provisions to protect people from false charges), protect law-abiding citizens, and punish criminals in accordance with Biblical guidelines.

### Crime in America

Recent crime statistics reveal we as a nation have serious problems. Over 10 million crimes are committed every year in America. Every 3 seconds a crime occurs against someone’s property (through theft, robbery, burglary, fraud, embezzlement, etc.), about 30,000 per day. Many crimes against property go unreported, and of those that are reported, most are never solved. Capital and other violent crimes — such as murder, rape, aggravated assault, kidnapping — occur about every 35 seconds. In America, the crime clock continues to click: one murder every 22 minutes, one rape every 5 minutes, one robbery every 49 seconds, and one burglary every 10 seconds.

From the 1960s to the early 90s, the crime rate rose consistently (see Charts 1-4). While there has been some decline since the 90s the crime rate is still high, especially compared to the past. Capital crimes were rare in early America. The chief judicial officer over all

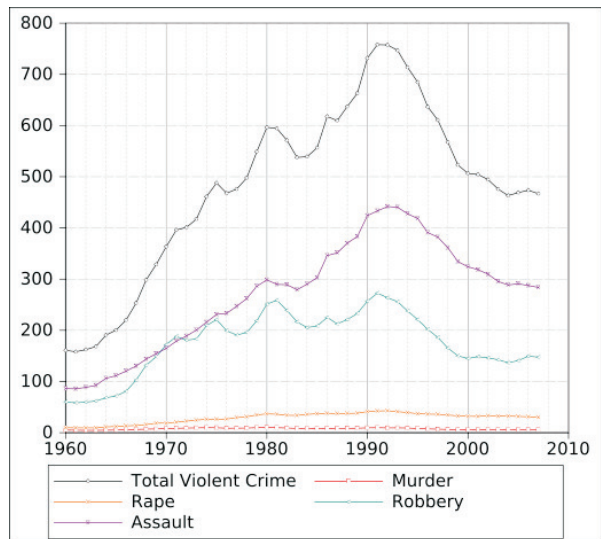


Chart 1. Violent crime rates in the United States per 100,000 population beginning in 1960. Source: Bureau of Justice Statistics.

of New York, James Kent, said he only had eight convictions for murder in his 16 years of service (from 1798-1814).<sup>2</sup> Today, New Hampshire, with a population similar to New York in 1810, has among the lowest murder rates in the country; even so, it sees about 13 homicides each year (and the national average is about 5 times the rate in New Hampshire).

Criminals are getting younger. The violent-crime rate seems to rise and fall in tandem with the number of teens in the population, but recently, teen violence has exploded (murder arrests of teens jumped 92 percent since 1985) during a period in which the teen population remained steady or declined. The median age of criminals is dropping. In 1982, 390 teens ages 13-15 were arrested for murder. A decade later, this total jumped to 740.

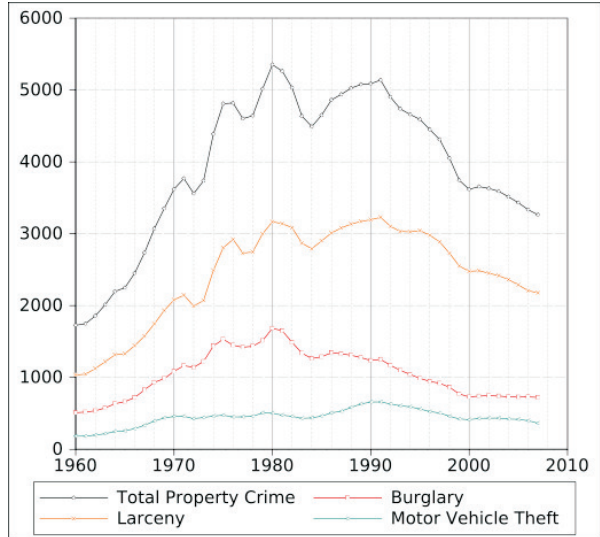
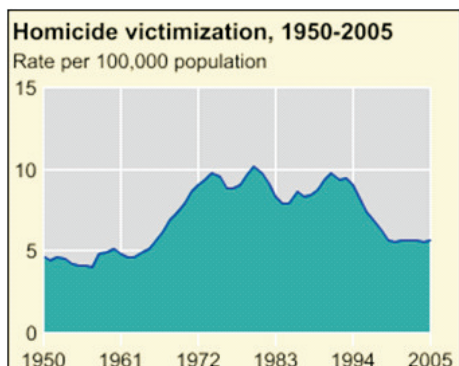
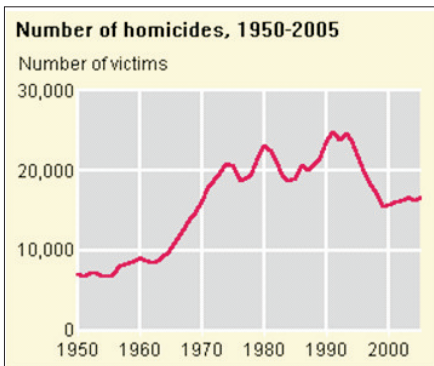


Chart 2. Property crime rates in the United States per 100,000 population beginning in 1960. Source: Bureau of Justice Statistics.



Charts 3 & 4: Homicide rates, 1950-2005. Left, number of homicides; right, homicide rate per 100,000 population.

## America's Response to Increasing Crime

The nation's response to the increasing crime rate was to build more prisons, and, in some states, to pass stricter laws requiring jail time ("three strikes and you're out" type of legislation), which required building even more prisons. At the end of the 1980s, over 0.5 million were in jail; at the end of 1990s about 1.7 million were in jail; and today about 2.2 million are in jail.

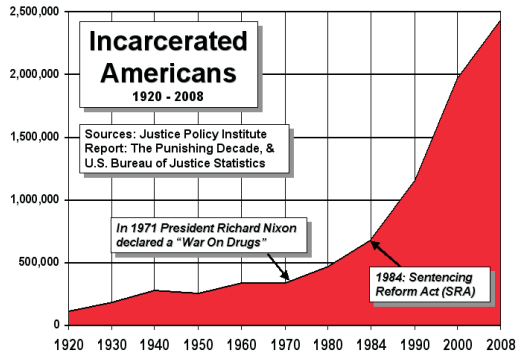


Chart 5. Incarcerated Americans.

## Cost of Crime

The cost of crime continues to mount: \$78 billion for the criminal justice system, \$64 billion for private protection, \$202 billion in loss of life and work, \$120 billion in crimes against business, \$60 billion in stolen goods and fraud, \$40 billion from drug abuse, and \$110 billion from drunk driving. When you add this and other spending, crime costs Americans a stunning \$675 billion each year. A greater consequence of crime's effect is the steadily declining sense of security and personal liberty of American citizens.

The victims of crime suffer the most and pay the largest price; however, the cost to the public is great as well. Since our criminal system operates upon the pagan Roman idea of retribution toward the criminal (as opposed to the Biblical idea of restitution to the victim and restoration of Godly order<sup>3</sup>), we punish criminals by putting them in prison. Increased crime has resulted in a shortage of prisons to house all the criminals. While many new prisons have been built, there is still not enough room. Prisons are overcrowded. In recent years, due to a shortage in prison space and a lack of revenue, some states have begun releasing criminals from jail before their sentences are complete (e.g. California). Federal, state, and local governments spend approximately \$62 billion per year on adult and juvenile corrections.<sup>4</sup> Federal and state governments are projected to need as much as \$27 billion — \$15 billion in additional operational funds and \$12 billion in additional capital funds — over the next five years to accommodate projected prison expansion and operation.<sup>5</sup> We are spending over \$30,000 per year per inmate. It would be cheaper to send them to college.

## **Correctional Institutions?**

Does our criminal punishment system work? Do citizens feel safer today than in times past? Is our society growing more tranquil and quiet? The statistics and experience of citizens say no.

Prisons are termed correctional institutions, but little correction occurs. The rate of recidivism is about 60%.<sup>6</sup> In reality, prisons are centers of violence, where many low level criminals learn how to be greater criminals. Our present system does not work. God has a better way to deal with lawbreakers.

## **Biblical Means of Dealing with Crime**

### **What is crime and how should a society deal with it?**

Crime is rooted in the sinful nature of man. Sin is acting contrary to God's standard as revealed in His Law-Word. Crime is unlawful behavior (as delineated by God in His Word) that usually threatens the life, liberty, or property of others, either directly (such as robbery or murder) or indirectly (such as treason or perjury). There is criminal activity that potentially only affects one's own person, such as drug use. Such activity is still an assault on life (and our lives are not our own, since God who created us ultimately owns us; we are merely stewards of our bodies).<sup>7</sup>

Crime comes under the jurisdiction of the state or civil government. While all crimes (as defined by God, but not necessarily the state) are sins, all sins are not crimes punishable by civil authorities. Many sins (violation of God's Law-Word) are outside the jurisdiction of the state; some sins are to be dealt with by the family, some by the church, and many by God Himself. It is very important that civil leaders understand the distinction of crime and sin, the source of crime, and the administration of God's justice when crime is committed.

Civil governments throughout history have declared many actions to be criminal that, according to God, are not criminal at all, including reading the Bible and worshiping God according to the dictates of one's own conscience. Where laws exist that are contrary to God's higher law, it is the duty of Christians to seek to change these. Sometimes men have criminalized bad behavior, with the goal of limiting behavior that was not criminal according to God, but rather was sinful, or potentially sinful. The Eighteenth Amendment to the United States Constitution is one such example. This well-intended but ill-conceived Prohibition Amendment, adopted in 1919, caused more problems than it attempted to solve and was eventually repealed in 1933.<sup>8</sup>

Some use Prohibition to proclaim we cannot legislate morality, nor should we try to legislate morality. However, every law is a legislation of someone's

morality. Murder and theft are moral issues. Enacting laws against these actions is a legislation of morality. The important question is, “whose morality should we legislate?” There are really only two answers: either God’s morality (which He reveals in His Word, the Bible) or man’s. While all law legislates morality, it is very important to understand that man cannot legislate goodness. Laws cannot change the heart of man; they cannot elevate men above the level of their faith and morality.

As mentioned earlier, a society must understand the source of crime before they can effectively deal with crime. The Bible clearly states that wickedness and sin in the heart of man is the source of crime (Genesis 6:5, 11). As a result of man’s sin – that is, disobedience to God – evil entered his heart. What was in the heart of man manifested itself in his actions (the world was filled with violence). Recognizing the true nature of man – he is a sinful, fallen being in need of a savior – is the beginning place for a society to correctly deal with crime. Both preventative and corrective measures must be taken.

### **Preventative — Teach Truth and Biblical Morality**

Since crime is a result of evil in the heart of man, transformation of the heart is the ultimate preventative measure; and as only God can change a heart, preaching the Gospel is the best thing we can do to lower crime. Since only the true and living God – the God of the Bible – can change a heart, nations where Christianity has the greatest influence have the greatest weapon to reduce crime.

Following personal conversion is the need to teach God’s standards of conduct. These serve as the plumb line for how we should live. While Christians are empowered by the Holy Spirit to help them live right, these standards are also beneficial for non-Christians. Thus, we must lift up God’s standards, which are summarized in the Ten Commandments, within our nation and teach them to everyone. We must teach the Bible not only in churches but also in schools and everywhere ideas are presented. The founders of America understood and did this very thing.

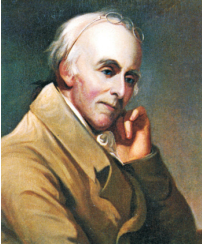
Signer of the Constitution, **James McHenry**, said:

The Holy Scriptures . . . can alone secure to society, order and peace, and to our courts of justice and constitutions of government, purity, stability, and usefulness. In vain, without the Bible, we increase penal laws and draw entrenchments around our institutions.<sup>9</sup>

**Benjamin Rush**, Signer of the Declaration and father of American medicine, wrote:







In contemplating the political institutions of the United States, I lament that we waste so much time and money in punishing crimes and take so little pains to prevent them. We profess to be republicans, and yet we neglect the only means of establishing and perpetuating our republican forms of government, that is, the universal education of our youth in the principles of Christianity by the means of the Bible. For this Divine book, above all others, favors that equality among mankind, that respect for just laws, and those sober and frugal virtues, which constitute the soul of republicanism.<sup>10</sup>

Imparting the principles of the Ten Commandments to all Americans is just what is needed to most effectively deal with the 2.2 million criminals in jail today.

### **Corrective — Biblical Means of Punishment**

It is better to prevent crime than to attempt to correct the effects of crime after it is committed. If a crime is committed, the Bible provides the best means of how to deal with it.

The emphasis of God's Law in dealing with criminal acts is restitution to the victim and restoration of Godly order. The Roman idea of only punishing the criminal is what is predominant in our criminal system today. The penalties in Biblical law for stealing have the goal of establishing Godly order, of cleansing and healing man to live in God's order.

Remember, because all sins are not crimes, if God's law is violated it should be handled by the appropriate jurisdiction and with an appropriate penalty. We should discern if it is the responsibility of the family, church, or state (or God Himself) to administer God's justice. In addition, when executing the penalty, we should remember God's mercy and His justice. A thorough knowledge of God's Word (the Bible) is necessary for this.

A brief summary of the Biblical penalties for committing crime (that is, violating Biblical civil law) as given to the Hebrew Republic are presented below. Following this is an elaboration of each point.<sup>11</sup>

1. Restitution to the victim for theft, up to five times the amount stolen. For those unable to pay this amount, they were to work (via servitude) until the obligation was met (Exodus 22:1 ff).
2. Corporal punishment and/or fines for minor offenses (Leviticus 19:14; Deuteronomy 22:13-21; Numbers 5:5-10; Leviticus 5:14-16; 6:1-7). For sins of negligence and inadvertence (Numbers 5:5-10; Leviticus 5:14-16) and minor offenses of a deliberate nature involving property (Leviticus 6:1-7), the principal was to be restored plus 20% .

3. Death for serious offenses against life and for incorrigibility (Exodus 21:12-16; 22:19-27; Leviticus 20:10-21; Deuteronomy 21:18-21).
4. City of refuge for accidental death (Numbers 35; Deuteronomy 19:1-13).

God established cities of refuge in ancient Israel as a means of protecting the innocent if they were involved in an accidental death. These cities of refuge protected “innocent blood” from “the avenger of blood.” (This was a near relative of the victim who would seek to avenge the death of his kin.)

## **Biblical Penalties for Crime**

### **1. Crimes Against Property Require Restitution.**

The eighth commandment — “you shall not steal” — implies man has a God-given right to own property. The expansion of this command in the case laws<sup>12</sup> makes this clear. But this command means much more than this.

The positive corollary of the eighth commandment speaks to us of the restoration of the fallen world. It declares that we are to restore all that the devil and sin stole from us. We are to subdue the earth and take dominion of it. This commission was given to man from the beginning (Genesis 1:26-28). The earth is the Lord’s. He has given to man the calling to take dominion over the earth. Property is a central aspect of that dominion. The right to govern property on the earth is given to man and the family, not the state.<sup>13</sup> It is within the context of the dominion mandate that God requires restitution for theft. It is the best means of helping to restore God’s order.

#### **1) The prison system as a means of punishment for convicted criminals is not Biblical. It is a pagan method.**

The Biblical penalty for theft is not prison, but restitution. Likewise, as we will examine later, the Biblical penalty for murder is not prison, but death. There are no provisions for prisons to house criminals in God’s civil code. The closest thing is “a temporary holding place where bona fide suspects (indicted) are to be held pending speedy trial and swift punishment if found to be guilty (Leviticus 24:12; Numbers 15:34).”<sup>14</sup>

#### **2) Restitution to the victim.**

God’s laws for punishment of crimes against property are clear. The punishment is commensurate with the crime. This is what is meant when the Bible mentions “an eye for an eye, a tooth for a tooth.” It is not speaking of a literal punishment, but instead means an appropriate punishment.

The guilty person is to make restitution to the victim (the individual, not the society, makes restitution). With restitution:

a) The guilty person is held accountable for his crime, and he must literally “pay” for it, rather than languish in prison at the expense of society (including the victim, who thus pays twice by having lost his property and then paying taxes for the upkeep of the one who took his property). He must work and earn money or pay back in kind that which is required to make reparations for what he stole.

b) The victim receives the reparation, not the state.

c) Would-be lawbreakers will learn that crime does not pay.

d) The citizenry is not compelled to subsidize crime (via reparations to victim) or support the criminal (via prisons).<sup>15</sup>

### **3) Laws of restitution set forth in Scriptures**

#### **Restitution is required:**

- Of the thief (Exodus 22:3)
- Of one who wrongfully appropriates and/or violates another’s property (Exodus 22:5 — if someone else’s land or vineyard is grazed and consumed by your animals)
- Of one who destroys another’s property by arson (Exodus 22:6)
- Of one who loses or damages or destroys another’s property while it is in his loaned or borrowed care (Leviticus 24:21)
- Of one who assaults another individual (Exodus 21:19 — expenses related to harm from fight)<sup>16</sup>

#### **Amount of restitution**

The amount of restitution is to not only cover the actual value of that which was stolen, lost, or destroyed, but also compensate for loss of time, loss of income, loss of potential production, and inconvenience. The amount may range from two to five times the actual loss (Exodus 22:1 ff). Exodus 22:1 states: “If a man steals an ox or a sheep, and slaughters it or sells it, he shall pay five oxen for the ox and four sheep for the sheep.” This takes into account the potential production value since oxen were used to plow the fields, and sheep produced wool; they were more than just food items.

Ultimately, crimes against property are crimes against God, as well as the victim. God will handle the retribution against the criminal (here and in the hereafter) for He says, “vengeance is mine” (see Leviticus 20:4-6; Numbers 5:6-8). Restitution goes to the victim.

### **Fruit of Adhering to God’s Law Concerning Property Crimes<sup>17</sup>**

God’s plan provides the proper solution to man’s errors and sinful actions. Consider the fruit of adhering to God’s law concerning property crimes. Adherence:

- Would almost empty prisons, for about 90% of inmates are guilty of crimes against property. In addition, many of these criminals would be rehabilitated through working to make restitution.
- Would promote true justice and Godly order by requiring the guilty to work and earn that which is required for restitution to the victim, and the victim would not be diminished in his material wealth.
- Would establish a great deterrent for those who might be tempted to commit similar criminal acts. (They would repent at even the thought of stealing, knowing that if they were caught they would have to pay back 2-5 fold. They see they could gain much more through labor than theft. This is the best type of rehabilitation there is.)

### **“Legal Theft”**

“You shall not steal” (Exodus 20:15) has meaning in the context of private ownership of property. The Bible has much to say about theft. It is immoral and illegal to steal property that belongs to someone else. This is also true if you were to get civil government to steal it for you via unjust taxes or inflationary economic policies, even if this were through majority vote.

The first sin of Adam and Eve was to steal the fruit from the tree of the knowledge of good and evil. This belonged to God, and He said it was off-limits for them. They failed the test of respecting someone else’s property. The result of this theft was judgment, where taking dominion over the earth became much more difficult. This led to the decay of the family as well, as Cain eventually killed Abel.

Theft flourished among men as a result of this first sinful act. Men stole from men. Leaders stole the liberty and property of citizens (for example, Pharaoh stole the liberty of the Israelites). Men and leaders have done this throughout the ages. In democracies, citizens have learned how to steal from others through majority rule, but God says “you shall not steal.” King Ahab stole the property of Naboth, and judgment came upon him and his wife, Jezebel (1 Kings 21:17-19).

Why would anyone labor their whole lives, saving and acquiring property, if it was all to be confiscated along the way and at the end? Why would anyone labor to acquire the knowledge and skills necessary to advance various professions if there was no benefit, and if their property would be confiscated and given to lazy or unproductive people? Socialism violates basic principles of labor and profit — it steals from citizens.

Theft negatively affects the economy in many ways. Theft by fellow citizens keeps you from building wealth as it is directly stolen (you have to keep buying cars if they are stolen), but it also diverts many resources to combating the criminal. People buy more locks, build more fences, hire more police, need

more judges, etc. Businesses must produce these anti-theft devices as well. More of your wealth is taken to protect your property and life. Your liberty is also taken away (for example, many people in various nations live inside homes surrounded by walls and fences; others face fear of being kidnapped by thieves for ransom). Therefore, theft reduces future productivity. In addition, people will not have time or money to help the needy in society, since all their labor will be needed to meet their families' basic needs.

Theft by government motivates you to spend whatever money you make right away. If it will be stolen by inflation or large taxes, then you had better spend your money while you can. There is no incentive to invest in capital which leads to greater productivity in the future. Societies' capital base is reduced. Nations cannot prosper where theft abounds.

### **There are many kinds of theft:**

1. Direct personal theft — One man stealing from another directly.
2. Fraud — When you present a good or service in a certain way but it is inferior than what is advertised, this is theft. If you contract with someone to labor and you pay him less than agreed upon, this is also theft. If an employee agrees to labor for a company but is slack and does not perform what he should (by taking longer breaks, coming in late, handling personal matters, etc.), this is also theft. A thief takes from someone or denies someone what rightfully belongs to that person (or business), and thus keeps him from pursuing his lawful goals and purposes in life.
3. Government theft — Civil leaders throughout history have stolen from their citizens. At times this has been a direct taking of personal property. Government theft also occurs when leaders implement unjust taxes, inflationary economic policies, and fiat money.<sup>18</sup> This type of stealing can be done by any form of government, whether dictatorships or representative republics. God instituted government to protect the property of citizens, not plunder their property. If government begins to plunder property or take what is not theirs, it should be changed.

### **Inflation Is Theft**

Theft makes a society very present-oriented, because people have no incentive to hold onto their property or to build capital since it could likely be taken from them before they can use it or enjoy it. This is true for all kinds of theft, including inflation. Inflation is a result of an increase in the money supply. When the money supply is increased, either through printing more money or credit-expansion, the purchasing power of each dollar falls, and businesses must increase the prices they charge to keep up with their own higher costs.

Most inflation is due to bad or corrupt government officials who create dishonest money so they can spend more without directly taxing the people.

Historically, during times of hyper-inflation (when the government keeps printing money with abandon), prices would rise everyday (or even in a few hours), and people would spend their money as soon as they got it, for holding it even a few days would diminish its purchasing power. (Runaway inflation is quite dramatic: in Germany in 1923, a pound of butter cost 6 trillion marks! People would use a wheelbarrow to carry their money when they went shopping. In Hungary in 1946, it was cheaper to wallpaper a room with money than with wallpaper.) Present-oriented societies cannot build wealth, and hence cannot effectively take dominion. People will not sacrifice or build for the future, and thus cannot control or influence the future. Such societies are backward, lower class societies.

Theft not only destroys the wealth of individuals, it destroys a society. This is why a fundamental function of civil government is to protect property (property of all sorts — life, liberty, internal and external property), for in so doing it is protecting the society. If it plunders property instead of protecting it, then civil government contributes to the demise of the nation — it not only does not do its job in protecting society, but acts like a thief and takes part in destroying society.

Thus, the state must perform its Biblical duty. But the primary means of achieving this is for individuals to become self-governed. Self-governed people will not steal from one another, and as leaders they will not steal from citizens via unjust laws and taxes. Self-government begins by people fearing God. Self-government under God is the primary means of restraining theft. Families must also assume their responsibilities to teach children and to govern their property. Churches must teach against theft, and the state must punish thieves appropriately (with swift execution of justice).

### **Theft by Voting**

When people lack Christian character and learn they can vote themselves property (via subsidy programs, government benefits, welfare programs, etc.), they open the door for an ever-growing state that will eventually seek to control and/or own all property. The state will go way beyond its Biblical right to own small bits of property (such as public buildings, forts, etc.) to encroaching upon private property rights for any reason.<sup>19</sup>

The theft by voting usually affects the upper and upper middle class first, via graduated income taxes, but it does not stop here. When federal progressive or graduated income taxes began in America in 1913, only the highest earners were taxed, and the tax rate was small; but these taxes have gradually expanded to affect almost everyone, and the rates have increased dramatically.

(Inflation has also caused middle income workers to be affected as their rising salaries have brought them into higher tax brackets.) Thus, those who vote for such unbiblical ideas (via their representatives) will eventually be stung by their own action. The upper middle class are those who are often the most productive, creating jobs and needed goods and services which benefit the entire nation. Socialism seeks to destroy this, and hence the economy as a whole.

### **Biblical Solution for Government Theft**

The solution to unbiblical graduated income taxes is to have taxes apply uniformly to everyone. Israel supported the civil government via a head tax or poll tax (Exodus 30:11-16). All adult males paid the same amount. This had to be a small amount so as not to be an oppressive burden on the poor. This kept the civil government small, which is a safeguard for liberty. (Historically, as governments increase in size and power, individual liberty is diminished.) Government could be small to the extent that individuals were self-governed and families fulfilled their social duties. Social, religious, and educational needs were met through the tithe (a tenth of the increase of each person) and administered by the private sector.

Today, civil governments are so large that a head tax is not practical. However, we should move toward smaller governments that could be supported by a head tax. For this to occur, citizens must be self-governed and fulfill their duties (including educating their children, assuming responsibility for their own actions, and tithing, which would provide not only support for the church but also for various social needs that the government now attempts to meet, though very inefficiently). As we gradually move to limit the civil government, we should implement a tax system that does not show partiality to the poor or rich (Leviticus 19:15; Deuteronomy 1:17; 16:19; Acts 10:34). Two possible federal tax systems are: (1) a flat income tax (possibly assessed on income above a certain minimal amount); (2) a federal sales tax (possibly exempting food and basic necessities). Either of these would be much simpler and more just than our current system.

## **2. Minor Offenses**

The Biblical penalty for those people committing minor offenses or crimes of negligence and inadvertence is corporal punishment and/or fines (Leviticus 19:14; 5:14-16; 6:1-7; Deuteronomy 22:13-21; 25:1-3; Numbers 5:5-10). Types of these offenses include:

- Publicly defaming one's wife (saying she was not a virgin, Deuteronomy 22:13-21). A fine was to be paid for this false accusation.
- "Found what was lost and lied about it," "deceives his companion in regard to a deposit or a security entrusted to him," "if he has extorted from

his companion,” then “he shall make restitution for it in full, and add to it one-fifth more” (Leviticus 6:1-7).

- For certain disputes between men, the guilty was to be punished with whipping, with the number of stripes varying with the type of offense, but with a maximum of 40 — “he may beat him forty times but no more” (Deuteronomy 25:1-3).
- “You shall not curse a deaf man, nor place a stumbling block before the blind” (Leviticus 19:14).

### **3. Capital Crimes — Incurability and Serious Offenses Against Life**

The Bible clearly teaches the legitimacy of the death penalty.

#### **Biblical Principles of Capital Punishment**

1. God established the death penalty for willful murder (Genesis 9:6), not only for Noah’s time, but for “perpetual generations” (Genesis 9:12).
2. Capital punishment and the manner in which it was to be applied is reaffirmed and detailed many times in Scripture (Genesis 9:6,12; Leviticus 24:17-23; Numbers 35:9-34; Deuteronomy 21:1-9).
3. Paul reaffirmed the validity of the death penalty in Acts 25:10-12: “For if I be an offender, or have committed anything worthy of death, I refuse not to die.”
4. Jesus did not rescind the death penalty with the woman caught in adultery (Jn. 8:3-11).<sup>20</sup> To help in understanding this incident, consider:
  - Jesus was not a civil authority and would not make himself a judge in legal affairs.
  - Any judge had to have clean hands regarding the crime over which they sat in judgment, and those scribes and Pharisees apparently did not.
  - Jesus was upholding the Biblical requirement of having 2 or 3 witnesses. He could not pronounce guilt without this.
  - Jesus pronounced religious forgiveness, not civil forgiveness.
  - Additionally, Israel did not enforce the death penalty for adultery at this time because the Roman authorities prohibited them to do so. Thus, the Pharisees were obviously trying to embarrass Him.<sup>21</sup>
  - Finally, if she was caught in the act, where was the man? Why was he not being charged along with the woman?

#### **What crimes merit the death penalty?**

The law that God gave to ancient Israel had a number of crimes that were capital offenses. (*Capital* literally means *head*; hence, “punishable by loss of the head or of life; incurring the forfeiture of life; punishable with death; as,



treason and murder are *capital* offenses or crimes,” Webster’s *1828 Dictionary*.) These capital crimes (many of which, as we discuss below, have been altered by the New Covenant) include:

- Murder (Genesis 9:5-6; Numbers 35:16-21, 30-33; Deuteronomy 17:6; Leviticus 24:17)
- Kidnapping (Exodus 21:16; Deuteronomy 24:7)
- Offering human sacrifice (Leviticus 20:2-5)
- Incest (Leviticus 20:11-12, 14)
- Causing the death of an unborn child (Exodus 21:22-25)<sup>22</sup>
- Adultery (Leviticus 20:10; Deuteronomy 22:21-24)
- Bestiality (Exodus 22:19; Leviticus 20:15-16)
- Male homosexuality (Leviticus 18:22; 20:13)
- Rape of a betrothed virgin (Deuteronomy 22:25)
- False witness in a case involving a capital offense (Deuteronomy 19:16-20)
- A priest’s daughter who committed fornication (Leviticus 21:9)
- Witchcraft (Exodus 22:18)
- Striking or cursing father or mother (Exodus 21:15, 17; Leviticus 20:9)
- Incurability or habitual criminality (Deuteronomy 21:18-21)
- Blasphemy (Leviticus 24:11-14, 16, 23)
- Sabbath desecration (Exodus 35:2; Numbers 15:32-36)
- Prophesying falsely or propagating false doctrines (Deuteronomy 13:1-10)
- Sacrificing to false gods (Exodus 22:20)
- Lawless refusal to abide by godly law and order, anti-law, anti-court attitudes and actions (Deuteronomy 17:21)

There were many capital crimes in ancient Israel that people today who reject Christianity use to declare that God is unjust, or they use to attempt to show the futility of having a Christian standard for society; however, a proper understanding of these, especially compared to man’s approach to establishing justice, reveals God’s wisdom in how to best establish a peaceful, secure, and prosperous society.

Israel had many capital crimes that do not apply to us today. Some come under the category of the ceremonial laws, which were superseded by the final sacrifice of Christ. While we can apply principles from these laws, the penalties are no longer applicable (for example, the penalties for violating the Sabbath). In addition, some laws were part of the “holiness code,” that is, those laws that set Israel apart as God’s physical nation. God’s people today are not a part of just one physical nation, so holiness code laws have been superseded by

the nature of the “new Israel.” Some Old Testament laws (and their penalties) have been altered by the New Covenant.

Israel’s capital crimes were given to preserve God’s covenant nation. Many of the crimes come under the category of treason against the state, for they were treason against God (and God’s civil and ecclesiastical order). God is the highest authority there is, and treason against Him would destroy the nation. [This includes things as witchcraft (Exodus 22:18); blasphemy (Leviticus 24:11-14, 16, 23); Sabbath desecration (Exodus 35:2; Numbers 15:32-36); prophesying falsely or propagating false doctrines (Deuteronomy 13:1-10); sacrificing to false gods (Exodus 22:20); lawless refusal to abide by godly law and order, anti-law, anti-court attitudes and actions (Deuteronomy 17:21).] Other capital crimes were given to preserve the family, for if the family was destroyed the nation would be destroyed. [Things such as: incest (Leviticus 20:11-12, 14); adultery (Leviticus 20:10; Deuteronomy 22:21-24); bestiality (Exodus 22:19; Leviticus 20:15-16); sodomy (Leviticus 18:22; 20:13); rape of a betrothed virgin (Deuteronomy 22:25).]

In addition, the crime must be completely understood. Consider, for example, death for those who cursed their parents. This was not just simply a child who yelled at his parents, but one whose life and actions had so degenerated that the parents could do nothing to bring change. This person was a complete reprobate who would destroy himself, others, and the society. The parents themselves had to bring charges, and were also part of those who executed the penalty. This was no small matter.<sup>23</sup>

While there is some debate on which capital laws have been altered in the New Testament, the basic idea of capital punishment has been largely accepted throughout the Christian era and in America. Throughout our history, the individual states established their own capital crimes. The federal government also used the death penalty. The Supreme Court outlawed capital punishment from 1967-1976. Interestingly, as executions of murderers declined, the murder rate increased (see Chart 6). Today, 34 states, as well as the federal government, have the death penalty. Federal capital offences include: murder (many aspects), treason, espionage, and kidnapping (in some instances).

### **Problems Today**

While capital punishment for a few serious crimes is regarded as legal today in most states, it is not often rendered as the penalty for a convicted felon, and is less often executed. Between 1994 and 2010 there were about 300,000 homicides in America, plus many other capital crimes. During the same period 3346 people were given the death sentence and 1008 people were executed. Most criminals committing capital crimes are not given the punishment prescribed by the Bible. Most are sentenced to a jail term, some for life, but others

are released after a number of years. Having penalties not commensurate with the crime contributes to breeding a criminal environment, since many see that if they are caught committing a crime, even a serious capital crime, they will be out of jail in a few years.

Some criminals are given the death penalty, but with many appeals they end up sitting on death row for many years (costing hundreds of thousands of dollars). The average time on death row is 14 years. According to the Bible, with no swift judgment evil increases in the hearts of men (Ecclesiastes 8:11), which leads to more and more crime.

### Means of Capital Punishment

In Israel the witnesses and citizens took part in the execution (Deuteronomy 13:9; 17:7; Numbers 15:35, 36). The public nature of the punishment was a detriment to others as they witnessed firsthand the consequences of committing serious offenses against life. The methods mentioned in the Bible used to carry out the death penalty include: stoning (Deuteronomy 21:21); hanging (Deuteronomy 21:22); burning (Leviticus 20:14; 21:9); sword (Exodus 32:27-28; though this was an exceptional circumstance.) The most common methods for executing criminals in American history have included hanging, firing squad, electrocution, gas chamber, and lethal injection, with the latter being the primary means used today.

### Other Aspects of God's Law Concerning Murder

We have seen that the Bible teaches that a person who willfully takes another's life must pay for that act by forfeiting his own. However, it also gives many safeguards to protect the innocent (see below) and distinguishes between intentional (premeditated murder) and accidental homicide (manslaughter)—this was the reason for cities of refuge (Deuteronomy 19:1-13).

The Bible teaches that the unlawful taking of human life is a crime punishable by death. However, the lawful taking of life is not forbidden. This applies

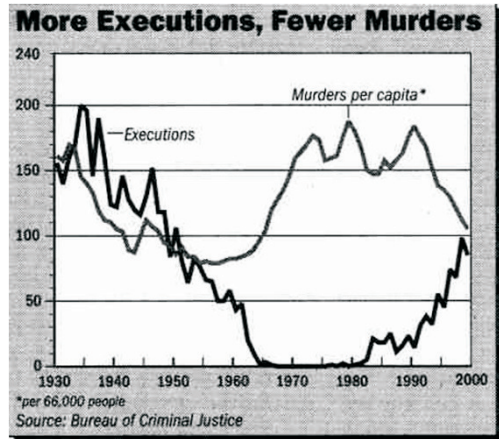


Chart 6. Murders per capita increased in America as executions of murderers declined. At the time of this increase (the mid-1960s) prayer and Bible devotions also began to be removed from public schools. Both preventative and corrective measures were undermined.

to governments administering the death penalty, as well as to self-defense, legitimate warfare, and similar acts. The sixth commandment to not kill forbids us to be murderers; but more than this, it prescribes that we should do all we can to defend our life and that of our neighbor (whether he is being assaulted, in need of legal testimony, in need of protection in the womb, and so forth).

The death penalty is only to be carried out by properly constituted civil authorities, not by an individual or group. It is not to be used for personal revenge—it is a requirement of fulfilling God’s justice. “This must be done to uphold the sacredness (sanctity) of human life.”<sup>24</sup>

### **Civil Government Is the Institution God Ordained to Carry Out Capital Punishment**

Paul writes that the ruler (civil government) “does not bear the sword for nothing; for it is a minister of God, an avenger who brings wrath upon the one who practices evil” (Romans 13:4). Peter says that “Governors [are] sent by Him [God] for the punishment of evildoers” (1 Peter 2:14). The power given to civil government to restrain evil doers is God’s means of providing a safe and peaceful society such that man can fulfill his mission to advance the Kingdom in the various spheres of life (family, business, associations). Failure of government to do this will result in disorder, crime, chaos, evil — a breakdown of society. Thus, civil government is part of God’s gracious provision for man.

### **Opposition to the Death Penalty**

Some people (including some Christians) oppose the death penalty. Some of their reasons include:

1. It violates the 6th commandment, “you shall not murder.”

This commandment does not mean that it is always wrong to take someone’s life. Here, murder is the unlawful taking of life. It is not killing, or God would be in violation of His own commandment, as he has taken many lives (He declared “I kill and I make alive [Deut. 32:39],” and remember, he “tsunamied” the whole earth [Gen. 7]). God Himself gives instructions that violators of His law are to be killed for certain crimes.

The Bible distinguishes between murder (guilty blood) and killing (innocent blood). God never permits the shedding of innocent blood (murder, abortion, etc.) but does permit (and, in fact, His justice demands) the shedding of guilty blood via capital punishment, just wars, and self-defense.

2. It is against the nature of Christ.

Christ never repudiated or modified God’s law regarding capital punishment (see above concerning woman caught in adultery). R.J. Rushdoony writes that “the basic principle of the death penalty was undergirded and set forth by Christ’s atoning death, which made clear that the penalty for man’s

treason to God and departure from God's law is death without remission."<sup>25</sup> If we accept the atoning death of Christ, we are accepting the validity of capital punishment as a means of executing God's justice in the earth. If the law of God does not require death, then Christ died needlessly.

Jesus taught that the use of force was legitimate at certain times in resisting tyranny.<sup>26</sup> Sgt. Alvin York, the most decorated soldier of World War I, changed his stance as a conscientious objector (based upon his initial belief that God did not want him to kill), to having no objections to fighting, and if necessary killing, with the revelation that, "If a man can make peace by fighting, he is a peacemaker."<sup>27</sup> York learned that sinful man will seek to kill others, and that taking a few lives will save many innocent lives that otherwise would be destroyed. This principle applies in war and in punishing capital crime.

3. Corrupt governments will abuse this power and murder the innocent.

Corrupt governments and tyrannical leaders have certainly killed many innocent people throughout history, but this does not invalidate the rightness of this penalty. Corrupt governments always find a way to kill or get rid of those who oppose them. If the government is corrupt, we must seek to transform it by Biblical means.<sup>28</sup>

4. Innocent people may be killed inadvertently.

While this has possibly occurred, it is rare in societies seeking justice. For this to be avoided, we should follow every Biblical safeguard to protect the innocent (see below). We should not use this argument to put aside God's standard for capital crimes, because failing to execute God's justice will result in far more innocent people being killed. There are many examples in recent history in America where murderers have been released from jail only to kill again. Anarchy, crime, and chaos — that is, a culture of crime — spring up where God's justice and penalties are not executed. This professional criminal element in a society results in the death of many innocent people. It also leads to a great increase of theft and other crimes and produces a nation of fear. This is not how God wants us to live.

God says in Numbers 35 that murder pollutes the land, and the only way to cleanse the land is capital punishment—"no expiation can be made for the land for the blood that is shed on it, except by the blood of him who shed it" (v. 33).

Nations that take innocent life are judged, but God also judges nations that fail to execute justice as He has established — that is, those that allow the shedding of innocent blood to go unpunished (Jeremiah 2:34-37; Hosea 1:4; 4:1-5). Part of that judgment is the rise of crime and the criminal element, which comes from failure to execute swift judgment using capital punishment (and other Biblical penalties) when appropriate. America is under this judgment today. When we obey God and enforce the death penalty we are cleans-

ing the nation of the guilt of innocent blood. Failure to do so causes us as a nation to share the guilt of the murderer (see Deuteronomy 21:1-9).

### **Blessings of Obedience**

When a person or nation obeys God's Word they are blessed. Obeying God in matters of civil justice brings well-being for the nation. God says, "You shall purge the blood of the innocent from Israel, that it may go well with you" (Deuteronomy 19:13); and "The execution of justice is joy for the righteous, but it is terror to the workers of iniquity" (Proverbs 21:15). Consider again Chart 6 that shows murders per capita increased in America as executions of murderers declined. However, the lack of use of capital punishment is not the primary reason for more homicides. The primary reason has been the gradual abandonment of God's moral standards. Capital crimes were rare in early America when God's law served as the standard for personal and societal life.

### **4. Cities of Refuge for Accidental Death (Numbers 35; Deuteronomy 19:1-13)**

As mentioned previously, God established cities of refuge in ancient Israel as a means of protecting the innocent if they were involved in an accidental death. These cities of refuge protected "innocent blood" from "the avenger of blood." (This was a near relative of the victim who would seek to avenge the death of his kin.) There were six cities of refuge throughout Israel, making one close for anyone no matter where they lived. The cities were easy to find, and there were fields nearby in which men could labor. If a guilty person tried to take refuge, and the leaders of the city confirmed his guilt, they would deliver him to justice. An innocent person stayed in the city until the death of the High Priest.

### **Safeguards for Those Accused of Crime**

God's law provides many safeguards for people charged of crimes, including:

- 1) Capital punishment is to be enforced impartially, and only after full and proper (swift) legal proceedings.
- 2) Testimony must be corroborated by at least 2 witnesses (Deuteronomy 19:15-21; 17:6; Numbers 35:30).
- 3) Witnesses who give false testimony (perjury) are subject to the penalty attached to the crime under consideration (Deuteronomy 19:18-21). This will keep people from testifying falsely.
- 4) Capital punishment is not to be enforced in a spirit of maliciousness or revenge (Jesus taught that this is forbidden, Matthew 5:38-44), but used only as God directed.

Godly justice requires good judges and leaders (Deuteronomy 16:18-20). They should have the qualifications the Scriptures present for Godly officials: fear of God, Christian character, and a Biblical worldview (Exodus 18:21; Deuteronomy 1:13).<sup>29</sup> God's system of justice focuses on restitution to the victim and restoration of Godly order. Restoration of Godly order includes proper penalties for the unjust taking of human life. If a murder went unsolved in Israel, the local community had to make atonement (Deuteronomy 21:1-9).

### **Goal of Restitution and Restoration of Godly Order**

The ultimate goal of God's penalties for crime is the establishment of His Kingdom (His government, righteousness, peace, order, joy) in the earth. God's means of dealing with criminals brings restitution to the victim and restoration of Godly order. When a thief has to make restitution, he is growing in the character and self-government necessary for citizens to possess for a free and just society. Removing evil men through capital punishment brings more peace and order to a nation. The Biblical goal in dealing with criminals is to extend God's Kingdom in the earth, personally and in society at large.

The use of swift execution of justice, restitution, penalties commensurate with the crime, and capital punishment will bring Godly order. God's Kingdom should be our goal at all phases. Even if capital punishment applies in a sentence of a criminal, judges should be looking to establish His Kingdom. Jesus can forgive the sins of criminals and they can be born into His Kingdom, but they still must pay for their civil crimes. Good judges are those who execute God's laws justly and swiftly, always having God's Kingdom in mind. Such was Thomas McKean.

**Thomas McKean** was a signer of the Declaration of Independence, one of the authors of the constitutions of Pennsylvania and Delaware, a governor of each of these states, a legal authority (writing *Commentaries on the Constitution of the United States of America*, 1792), and Chief Justice of the Supreme Court of Pennsylvania. As Chief Justice he presided over a trial where John Roberts was sentenced to death for treason. After delivering the sentence, Chief Justice McKean gave this advice to Roberts:



You will probably have but a short time to live. Before you launch into eternity, it behooves you to improve the time that may be allowed you in this world: it behooves you most seriously to reflect upon your past conduct; to repent of your evil deeds; to be incessant in prayers to the great and merciful God to forgive your manifold transgressions and sins; to teach you to rely upon the merit and passion of a dear Redeemer, and thereby to avoid those regions of sorrow—those doleful shades where peace and rest can never dwell, where even hope cannot

enter. It behooves you to seek the [fellowship], advice, and prayers of pious and good men; to be [persistent] at the Throne of Grace, and to learn the way that leadeth to happiness. May you, reflecting upon these things, and pursuing the will of the great Father of light and life, be received into [the] company and society of angels and archangels and the spirits of just men made perfect; and may you be qualified to enter into the joys of Heaven—joys unspeakable and full of glory!<sup>30</sup>

We need a criminal justice system and judges like this today, where there are swift and fair trials, an upholding of Godly standards, and a presentation of God's Kingdom and mercy to the end.

### What Can We Do?

Our current justice system is far from the Biblical model. It needs much transformation. Each of us can take part in changing it. Here are four simple things we can do:

1. Preach the Gospel and see individuals converted.
2. Build self-government and Christian character in yourself and those around you.
3. Teach God's precepts throughout society.
4. Work to establish Godly leaders and judges who will implement God's means of dealing with lawbreakers (and who will refuse to be thieves themselves).



### End Notes

1. For more on the purpose and responsibility of civil government see the following books published by the Providence Foundation: *Liberating the Nations*, *Watchmen on the Walls*, and *Building Godly Nations*. All of these, and many other excellent resources, are available through [www.providencefoundation.com](http://www.providencefoundation.com).

2. James Kent, *Memoirs and Letters of James Kent*, William Kent, editor (Boston: Little, Brown, and Company, 1:898), p. 123.

3. Some of the Biblical penalties for crimes do inflict punishment upon the criminal, and as such are retributive, but the primary goal of the punishment is to bring about Godly order in society and not to inflict revenge upon the criminal. The death penalty removes the criminal from being able to kill other innocent people. Paying four or five fold restitution for theft not only restores to the individual his property (and covers lost production, time, etc.) but it teaches the thief that crime is bad business.

4. Bureau of Justice Statistics, "Key Facts at a Glance: Direct expenditures by criminal justice function, 1982-2004" available at <http://www.ojp.usdoj.gov/bjs/glance/tables/exptytab.htm>

5. "Public Safety, Public Spending: Forecasting America's Prison Population 2007-2011." Available at [http://www.pewpublicsafety.org/pdfs/PCT\\_CorrectionsReport\\_3-1.pdf](http://www.pewpublicsafety.org/pdfs/PCT_CorrectionsReport_3-1.pdf)

6. Not surprisingly, the recidivism rate is below 10% for prisoners who go through a faith-based program where the emphasis is placed on changing the inner man rather than on mere external behavior.

7. Libertarians argue that individuals should be free to take whatever drugs or be involved in whatever activities they want to as long as they are not harming the life, liberty, or property of anyone else, but, since we belong to God and must seek to preserve our own bodies, some activities that threaten our lives can be criminalized. In addition, when we destroy our own lives, the lives, liberty, and/or property of others are almost always assaulted as well. Wisdom is needed to determine what drugs should be



considered illegal because an excess of almost anything can kill us, including eating food. However, good food is essential for life, while many drugs have no benefit and only bring destruction.

8. Prohibition was passed with the laudable goal of reducing drunkenness and its bad effects. Consuming alcohol is not sinful in itself, though excess consumption is a sin, as the Bible repeatedly warns against this. Drunkenness can lead to criminal behavior and it would be legitimate for governments to declare some related behavior as criminal, such as drunk driving. The ultimate solution to drunkenness is transformation of the heart and mind of men by the power and truth of God.

9. Bernard C. Steiner, *One Hundred and Ten Years of Bible Society Work in Maryland*, Baltimore: Maryland Bible Society, 1921, p. 14.

10. Benjamin Rush, *Essays, Literary, Moral and Philosophical*, Philadelphia: printed by Thomas and William Bradford, 1806, p. 113.

11. For a brief look at the applicability of God's law for us today, see *Equal Justice Under God's Law* by Stephen McDowell, p. 9.

12. The Ten Commandments, given by God to the nation of Israel through Moses, comprise the basic law of God. These commands contain broad principles applicable to all men from which other specific laws flow. Examples of some of these specific laws, know as case laws, can be seen in various parts of the books of Exodus, Leviticus, and Deuteronomy. See Stephen McDowell, *The Ten Commandments and Modern Society*, Charlottesville, Vir.: Providence Foundation, 2000.

13. For more on property, see Providence Foundation publications: *The Ten Commandments and Modern Society*, *The Economy from a Biblical Perspective*, and *Liberating the Nations*.

14. Rus Walton, *Biblical Solutions to Contemporary Problems: A Handbook*, Brentwood, Tenn: Wolgemuth and Hyatt, 1989, p. 63.

15. Walton, pp. 63-64.

16. Walton, p. 64.

17. Ideas from Walton, p. 65.

18. See *Honest Money and Banking* by Stephen McDowell for more on fiat money and on how inflation is a result of an increase in the money supply.

19. This is happening more and more in the United States. Consider the taking of private property by the City Council of New London, Conn., and upheld by the Supreme Court. See Stephen McDowell, *Rendering Unto Caesar the Things That Are God's*, Charlottesville, Vir.: Providence Foundation, 2009, p. 12.

20. Jesus did not come to abolish God's law, but fulfill it (Matt. 5:17). See *Equal Justice Under God's Law* by Stephen McDowell, page 9, for more on this.

21. Similarly, in 1 Corinthians 5, when Paul dealt with an incest situation, there was no death penalty for incest in Roman controlled countries. Paul shows how the church could deal with this sin and crime (the church cannot execute the death penalty anyway). Paul was explaining how the church should relate to those who had become Christians (or were Christians) who committed this crime and were still around. The penitential system (which was different than the Roman penal system) evolved as a way for the church to deal with Biblical crimes where pagan civil society did not enforce Biblical penalties. It was a positive measure to restore Godly order. More than merely saying "I repent" was needed to be demonstrated by the criminal before he was released.

22. The New American Standard version of the Bible renders Exodus 21:22-24: "And if men struggle with each other and strike a woman with child so that she has a miscarriage (lit. her children come out), yet there is no further injury, he shall surely be fined as the woman's husband may demand of him; and he shall pay as the judges decide. But if there is any further injury, then you shall appoint as a penalty life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, bruise for bruise."

Other translations give a better rendering of the meaning of this passage. In the KJV the underlined portion above is translated, "so that her fruit depart from her, and yet no mischief follow"; in the Geneva Bible (1560), "so that her childe departe fro her, & death followe not (of the mother, or childe);" and in the New King James Version, "so that she gives birth prematurely, yet no harm follows." In his *Commentary on the Book of Exodus*, Cassuto explains this passage:

When men strive together and they hurt unintentionally a woman with child, and her children come forth but no mischief happens—that is, the woman and the children do not die—the one who hurt her shall surely be punished by a fine. But if any mischief happens, that is, if the woman dies or the children die, then you shall give life for life. (Cassuto, *Commentary on the Book of Exodus*, Jerusalem: Magnes Press, The Hebrew University, 1967.)

The comment of Keil and Delitzsch clarifies further:

If men strove and thrust against a woman with child, who had come near or between them for the purpose of making peace, so that her children come out (come in to the world), and no injury was done either to the woman or the child that was born, a pecuniary compensation was to be paid, such as the husband of the woman laid upon him, and he was to give it . . . by (by an appeal to) arbitrators. A fine is imposed, because even if no injury had been done to the woman and the fruit of her womb, such a blow might have endangered life. . . . “But if injury occur (to the mother or the child), thou shalt give soul for soul, eye for eye . . . wound for wound”: thus perfect retribution was to be made.” (C.F. Keil and Delitzsch, *Biblical Commentary on the Old Testament, Vol. II, The Pentateuch*, Grand Rapids: Eerdmans, 1949, p. 134ff.)

23. The provision for parents to go to the leaders was a restriction of the power of parents over the life of their children. In Roman law parents could put their children to death (like today, where women have a “right” to abortion, to take the life of their children). In Biblical law, parents do not have the right to take the life of their children.

Some people say that some of Israel’s capital crimes were extreme or harsh, but man has implemented much harsher measures — having the death penalty for stealing (Hammurabi Code states, “If anyone commits a robbery and is caught, he shall be put to death;” Rome crucified robbers), for speaking against the king, for reading the Bible or attempting to give it to others (thousands were killed for this in past centuries).

When America was first colonized, England had over 200 crimes with the death penalty. The more Biblical colonies reduced this number greatly — The Massachusetts Body of Liberties reduced the number to 16 (*Colonial Origins of the American Constitution*, Donald S. Lutz, ed., Indianapolis: Liberty Fund, 1998, p. 95). Early America had a more Biblical criminal system than we have today, though it was still affected by the European system. Criminals were not sentenced to time in jail. Jails were only used to hold capital crime suspects for a short time until trial or for debtors until their fine was paid. Prisoners paid their own board while in jail. Over time, the Colonies greatly moderated the harsh penalties carried out in Europe. This occurred as they better applied Biblical principles of crime and punishment. Even during the harsher times, “the idea still uppermost was restitution to the wronged individual and to society.” (James Truslow Adams, *Provincial Society, Vol. 3 of A History of American Life*, New York: The Macmillan Co., 1927, p. 162.) The Pennsylvania Quakers, who opposed severe and harsh punishments, began sending criminals to workhouses where they would make restitution to individuals and society at large. Our later prison system came from this penological system (and was later adopted in Europe). Today, we have a modified form of the Roman penal system, showing more mercy to the criminal and seeking to rehabilitate, yet neglecting the Biblical emphasis of restitution to the victim and restoration of Godly order.

24. Rousas J. Rushdoony, *The Institutes of Biblical Law*, The Presbyterian and Reformed Publishing Company, 1973.

25. *Ibid.*, p. 77.

26. See Mark Beliles and Stephen McDowell, *America’s Providential History*, Charlottesville, Vir.: Providence Foundation, 1991, pp. 33-35.

27. John Perry, *Sgt. York: His Life, Legend & Legacy*, Nashville: Broadman & Holman, p. 32.

28. To learn how to transform evil governments, see materials published by the Providence Foundation including: *Liberating the Nations, Building Godly Nations*, and various Biblical Worldview University courses ([www.providencefoundation.com](http://www.providencefoundation.com)).

29. See Stephen McDowell, *Building Godly Nations*, Charlottesville, Vir.: Providence Foundation, chapter 13, p. 231 ff.

30. William B. Reed, *Life and Correspondence of Joseph Reed*, Philadelphia: Lindsay and Blakiston, 1847, pp. 36-37.

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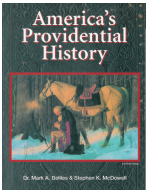
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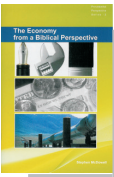
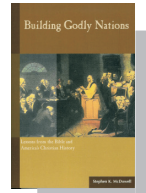
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### Building Godly Nations

#### Lessons from the Bible and America's Christian History

Examines the mandate for building Godly nations and how to apply Biblical principles to governing the nations. Chapters include: Fulfilling the Cultural Mandate; Pastors and American Independence; Separation of Church and State; The Role of Women in History; The Bible, Slavery, and America's Founders; Biblical Principles of Business; Education & the Kingdom of God.



### The Economy from a Biblical Perspective

A Christian economy will flow from the heart of man outward. The Bible speaks to all of life, teaching many principles about economics and business. To be able to assess our current economic situation and determine what policies would be best to put the nation on a path of prosperity, we must know what the Bible teaches about economics.

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## Crime and Punishment, A Biblical Perspective

Crime is rampant throughout the world and affects everyone. Over 10 million crimes are committed every year in America. Every 3 seconds a crime occurs against someone's property. Capital and other violent crimes occur about every 35 seconds. America's response to crime (like most nations) has largely been to build prisons to keep criminals, and this at an annual cost exceeding \$30,000 per inmate. These "correctional institutions" have done little to correct the problem and in many ways have helped develop more professional criminals.

God has a better way to deal with law breakers. The Bible reveals to us the cause of crime and why crime flourishes, but more importantly how to deal with crime. It gives us both preventative and corrective measures. The emphasis of God's Word in dealing with criminal acts is restitution to the victim and restoration of Godly order. This booklet examines Biblical restitution, the death penalty, theft by voting, and much more.

**Stephen McDowell** co-founder of the Providence Foundation and President of its Biblical Worldview University, has trained people from 100 countries to apply Biblical truth in all spheres of life. He has consulted with numerous government officials, assisted in writing political documents and starting political parties, aided in starting Christian schools, and helped establish classes on godly reformation in numerous churches. He has authored and co-authored over 20 books, videos, and training courses including *Liberating the Nations* and *America's Providential History*.



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